



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

March 8, 2017

Certified Mail

7012 3460 0003 1112 8687

Robert Marr, Owner
Tahoe Cedars Water Company
P.O. Box 264
Tahoma, CA 96142

TRANSMITTAL OF CITATION NO. 01-02-17C-004

Dear Mr. Marr:

The State Water Resources Control Board (State Board) Division of Drinking Water has issued the Tahoe Cedars Water Company water system a citation, which is attached.

Any person who is aggrieved by an order or decision issued by the deputy director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code Section 116625) or Article 9 (commencing with Health and Safety Code Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Board for reconsideration of the order or decision. The enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration. (Health and Safety Code Section 116701)

Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m.

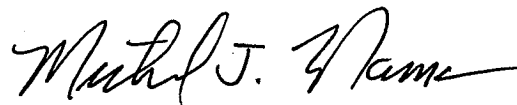
FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions, please contact Michael Burgess at (530) 224-6506 or me at (530) 224-4800.



Michael J. McNamara, P.E.
Lassen District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

cc: Richard L. Hinrichs, Chief, DDW-Northern California Section
Placer County Department of Environmental Health

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Tahoe Cedars Water Company
P.O. Box 264
Tahoma, CA 96142

Attn: Robert Marr, Owner

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64426.1
WATER SYSTEM NO. 3110013
C I T A T I O N N O . 01-02-17C-004
Issued on March 8, 2017**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter “State Board”), acting by and through its Division of Drinking Water (hereinafter, “Division”) and the Deputy Director for the Division (hereinafter, “Deputy Director”), hereby issues a citation to the Tahoe Cedars Water Company

1 (hereinafter, "Company"), located in the Tahoma area on the west shore of Lake Tahoe, for
2 violation of California Code of Regulations (CCR), Title 22, Section 64426.1.

3
4 **APPLICABLE AUTHORITIES**

5 **Section 116650 of California Health and Safety Code provides:**

6 (a) If the Division determines that a public water system is in violation of this
7 chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder,
8 the Division may issue a citation to the public water system. The citation shall be served upon
9 the public water system personally or by certified mail. Service shall be deemed effective as of
10 the date of personal service or the date of receipt of the certified mail. If a person to whom a
11 citation is directed refuses to accept delivery of the certified mail, the date of service shall be
12 deemed to be the date of mailing.

13 (b) Each citation shall be in writing and shall describe the nature of the violation
14 or violations, including a reference to the statutory provision, standard, order, citation, permit,
15 or regulation alleged to have been violated.

16 (c) A citation may specify a date for elimination or correction of the condition
17 constituting the violation.

18 (d) A citation may include the assessment of a penalty as specified in
19 subdivision (e).

20 (e) The Division may assess a penalty in an amount not to exceed one
21 thousand dollars (\$1,000) per day for each day that a violation occurred, and for
22 each day that a violation continues to occur. A separate penalty may be assessed for each
23 violation.
24

1 **Section 116701 of the California Health and Safety Code states:**

2 (a) Within 30 days of issuance of an order or decision issued by the deputy director under
3 Article 8 (commencing with Section 116625) or Article 9 (commencing with Section
4 116650), an aggrieved person may petition the state board for reconsideration. Where the
5 order or decision of the deputy director is issued after a hearing under Chapter 5.

6 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government
7 Code, this section shall apply instead of Section 11521 of the Government Code.

8 (b) The petition shall include the name and address of the petitioner, a copy of the order
9 or decision for which the petitioner seeks reconsideration, identification of the reason the
10 petitioner alleges the issuance of the order was inappropriate or improper, the specific
11 action the petitioner requests, and other information as the state board may prescribe.

12 The petition shall be accompanied by a statement of points and authorities of the legal
13 issues raised by the petition.

14 (c) The evidence before the state board shall consist of the record before the deputy
15 director and any other relevant evidence that, in the judgment of the state board, should
16 be considered to implement the policies of this chapter. The state board may, in its
17 discretion, hold a hearing for receipt of additional evidence.

18 (d) The state board may refuse to reconsider the order or decision if the petition fails to
19 raise substantial issues that are appropriate for review, may deny the petition upon a
20 determination that the issuance of the order or decision was appropriate and proper, may
21 set aside or modify the order or decision, or take other appropriate action. The state
22 board's action pursuant to this subdivision shall constitute the state board's completion of
23 its reconsideration.



1 (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in
2 part the effect of the order or decision of the deputy director.

3 (f) If an order of the deputy director is subject to reconsideration under this section, the
4 filing of a petition for reconsideration is an administrative remedy that must be exhausted
5 before filing a petition for writ of mandate under Section 116625 or 116700.
6

7 **California Code of Regulations, Title 22, Section 64426, subsections (a) and (b),**
8 **provides in relevant part:**

9 (a) Any of the following criteria shall indicate a possible rise in bacterial count:

10 (1) A system collecting at least 40 samples per month has a total coliform-
11 positive routine sample followed by two total coliform-positive repeat
12 samples in the repeat sample set;

13 (2) A system has a sample which is positive for fecal coliform or *E. coli*, or

14 (3) A system fails the total coliform Maximum Contaminant Level (MCL) as
15 defined in Section 64426.1.

16 (b) When the coliform levels specified in subsection (a) are reached or exceeded, the
17 water supplier shall:

18 (1) Contact the Division by the end of the day on which the system is notified
19 of the test result or the system determines that it has exceeded the MCL,
20 unless the notification or determination occurs after the Division office is
21 closed, in which case the supplier shall notify the Division within 24 hours;
22 and

23 (2) Submit to the Division information on the current status of the physical
24 works and operating procedures which may have caused the elevated



1 bacteriological findings, or any information on community illness suspected
2 of being waterborne. This shall include, but not limited to:

- 3 a. Current operating procedures that are or could potentially be related
4 to the increase in bacterial count;
- 5 b. Any interruptions in the treatment process;
- 6 c. System pressure loss to less than 5 psi;
- 7 d. Vandalism and/or unauthorized access to facilities;
- 8 e. Physical evidence indicating bacteriological contamination of
9 facilities;
- 10 f. Analytical results of any additional samples collected, including
11 source samples;
- 12 g. Community illness suspected of being waterborne; and
- 13 h. Records of the investigation and any action taken.

14
15 **California Code of Regulations, Title 22, Section 64426.1, subsection (b) provides, in**
16 **relevant part:**

17 (b) A public water system is in violation of the total coliform MCL [maximum
18 contaminant level] when any of the following occurs:

- 19 (1) For a public water system which collects at least 40 samples per month,
20 more than 5.0 percent of the samples collected during any month are total
21 coliform-positive; or
- 22 (2) For a public water system which collects fewer than 40 samples per month,
23 more than one sample collected during any month is total coliform-positive;
24 or



1 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or

2 (4) Any repeat sample following a fecal coliform-positive or E. coli-positive
3 routine sample is total coliform-positive.
4

5 **STATEMENT OF FACTS**

6 The Tahoe Cedars Water Company operates a community water system serving a population
7 of approximately 790 year-round residents through 1,180 active service connections on the
8 West Shore of Lake Tahoe. The water system is currently served by a single well.
9 Disinfection of the groundwater supply is not provided. The water system is served by two
10 bolted steel storage tanks, with a total storage capacity of 439,000 gallons.
11

12 Two of three routine samples collected by the Company on January 26, 2017, tested positive
13 for total coliform bacteria but absent for E. coli, and seven repeat samples, including one
14 sample from the well, were collected on January 28, 2017. The lab received the samples, but
15 failed to incubate three of them. Three repeat samples collected from the Amy's West Lake
16 routine sample site and either side of the Amy's West Lake site all tested positive for total
17 coliform bacteria but absent for E. coli. The fourth repeat sample collected from Rod's 9th (the
18 other routine site) tested absent for total coliform bacteria.
19

20 On January 30, 2017, the Company was directed to take two additional samples from their
21 single well source, 15 minutes apart. Both of these samples were invalidated as the lab lost
22 power, resulting in the incubator cooling to below 34 degrees Celsius. The Company had
23 begun chlorinating the well and distribution system and it was decided that additional samples
24 would not provide any useful information until the chlorinated water had been flushed from the



1 well and distribution system. Two samples collected from the well on February 2, 2017, one
2 approximately two minutes after starting the well pump and a second approximately 15
3 minutes later, both tested absent for coliform bacteria.

4
5 Three routine samples collected from the distribution system on February 7, 2017, all tested
6 absent for total coliform bacteria; however, a sample collected from Amy's West Lake on
7 February 13, 2017, tested positive for total coliform bacteria. Five repeat samples were
8 collected on February 15, 2017, including two collected from the well 15 minutes apart. All
9 five repeat samples tested absent for coliform bacteria.

10
11 Division staff also conducted an on-site assessment of the Company's water system on
12 February 15, 2017. The inspection of the physical facilities was hampered by over six feet of
13 snow on the ground in the Company's service area; however, there were no visible holes in
14 the well casing, all openings appeared to be sealed, and the well was equipped with a
15 downward facing, screened casing vent. The tanks appeared to be in good condition though
16 several feet of snow on the tank roofs prevented inspection of the apex vents. There was no
17 debris in the tank that was visible from the roof hatch. The assessment identified one
18 potential cause for the total coliform positive samples: the use of sink faucets equipped with
19 aerators for sample collection, as the aerators, in particular, can harbor bacteria.

20 21 DETERMINATION

22 The Division has determined that the Tahoe Cedars Water Company violated Section
23 64426.1, Title 22 of the CCR. Specifically, Tahoe Cedars Water Company exceeded the total
24 coliform MCL during January 2017.

DIRECTIVES

Tahoe Cedars Water Company is hereby directed to take the following actions:

1. Comply with Sections 64426 and 64426.1, Title 22, of the CCR in all future monitoring periods.
2. Correct, or provide a plan for correcting, the deficiencies specified in the attached Level 2 Assessment performed by the Division, and return a signed copy of the attached Level 2 Assessment **by April 8, 2017**.
3. Within 30 days of the issuance of this Citation, but in no case later than **April 7, 2017**, notify all persons served by the Company of the MCL violation as required by Title 22, Sections 64463.4 and 64465 of the CCR. Notification shall be completed by posting the notice contained in Attachment 'A' in conspicuous places within the service area and by hand delivery or direct mail of the notice to all customers served by the Company. No changes shall be made to Attachment 'A' unless approved by the Division.
4. Complete and return Attachment 'B' entitled "Certification of Completion of Public Notification" by **April 17, 2017**. A copy of the notification that was provided to users due to the total coliform MCL exceedance in January 2017 shall be included with the form.

1 All documents required by this Citation shall be submitted to the Division to the following
2 address:

3 Michael J. McNamara, P. E.
4 Lassen District Engineer
5 State Water Resources Control Board
6 Division of Drinking Water
7 364 Knollcrest Drive, Suite 101
8 Redding, CA 96002
9 (530) 224-4800

10
11 As used in this Citation, the date of issuance shall be the date of this Citation; and the date of
12 service shall be the date of service of this Citation, personal or by certified mail, on the water
13 system.

14
15 Nothing in this Citation relieves the Company of its obligation to meet the requirements of
16 Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water
17 Act), or any regulation, permit, standard or order issued or adopted thereunder.

18
19 The Division reserves the right to make such modifications to this Citation, as it may deem
20 necessary to protect public health and safety. Such modifications may be issued as
21 amendments to this Citation and shall be effective upon issuance.

22
23 **PARTIES BOUND**

24 This Citation shall apply to and be binding upon Tahoe Cedars Water Company, its officers,
25 directors, shareholders, agents, employees, contractors, successors, and assignees.

1 **SEVERABILITY**

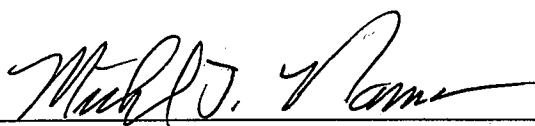
2 The Directives of this Citation are severable, and the Company shall comply with each and
3 every provision thereof, notwithstanding the effectiveness of any other provision.
4

5 **FURTHER ENFORCEMENT ACTION**

6 The California SDWA authorizes the State Board to: issue a citation with assessment of
7 administrative penalties to a public water system for violation or continued violation of the
8 requirements of the California SDWA or any permit, regulation, or order issued or adopted
9 thereunder including, but not limited to, failure to correct a violation identified in a citation or
10 compliance order. The California SDWA also authorizes the State Board to take action to
11 suspend or revoke a permit that has been issued to a public water system if the system has
12 violated applicable law or regulations or has failed to comply with an order of the State Board;
13 and to petition the superior court to take various enforcement measures against a public
14 water system that has failed to comply with an order of the State Board. The State Board
15 does not waive any further enforcement action by issuance of this citation.

16
17 March 7, 2017

18 Date



Michael J. McNamara, Lassen District Engineer
Northern California Section
Division of Drinking Water
State Water Resources Control Board

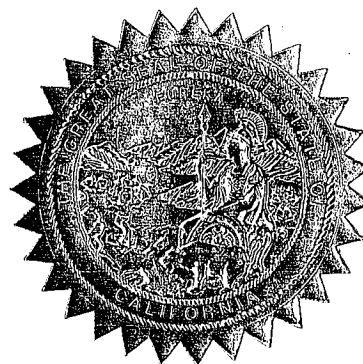
22 Attachments:

23 'A' Public Notice

24 'B' Certification of Completion of Public Notification

25 'C' Site Assessment Form

26 CERTIFIED MAIL 7012 3460 0003 1112 8687



IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Tahoe Cedars Water Company Had Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We took seven samples to test for the presence of coliform bacteria during January 2017. Five of those samples showed the presence of total coliform bacteria. The standard is that no more than one sample per month may show the presence of coliform bacteria.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

Two of the three routine samples collected on January 26, 2017, tested positive for total coliform bacteria. The lab notified the Company of these results January 27, 2017, following the completion of the tests, and the Company collected a total of seven repeat samples including a sample from our well source on January 28, 2017. Three of the samples were invalidated due to lab error, and three of the remaining four samples tested positive for total coliform bacteria. The Company disinfected the well and the water system with chlorine. Following the chlorination of the water system, two samples collected from the Company's well source on February 2, 2017, and three samples collected from the water system on February 7, 2017, all tested absent for total coliform bacteria. None of the samples collected during January or February tested positive for E. coli. The State in conjunction with water system personnel inspected the system on February 15, 2017, and no deficiencies were identified with the water system facilities. Steps have been taken to improve the water sample collection and testing.

For more information, please contact Robert Marr at 530-525-7555 or P.O. Box 264 Tahoma, CA 96142.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Tahoe Cedars Water Company

State Water System ID#: 3110013 Date distributed: _____

Attachment B

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form, when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Division of Drinking Water with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

Public Water System Name Tahoe Cedars Water Comapny

Public Water System No. 3110013

Public notification for the January 2017 Total Coliform MCL exceedance was performed by the following method(s) (check and complete those that apply):

☐ The notice was published in the local newspaper on _____. A copy of the newspaper notice is attached.

☐ The notice was mailed to users on _____. A copy of the notice is attached.

☐ The notice was hand delivered to water customers on _____. A copy of the notice is attached.

☐ The attached notice was posted in the following conspicuous places:

For this method, provide the date (or dates) that the notice was posted _____.

I hereby certify that the above information is factual.

Printed Name

Signature

Date

State Water Resources Control Board
Division of Drinking Water

REVISED TOTAL COLIFOM RULE (RTCR) – LEVEL 2 ASSESSMENT

Due to two or more total coliform trigger exceedances in the last rolling 12 months, Division of Drinking Water (DDW) staff must conduct an rTCR – Level 2 Assessment of your public drinking water system. This assessment is to identify potential reasons for the trigger exceedance.

A responsible party for your water system must review and return a signed copy of this assessment to this office.

Assessment conducted by: Michael T. Burgess, Sanitary Engineer

Water system name:	Tahoe Cedars Water Company
Water system number:	3110013
Level 1 trigger dates:	6/17/16
Level 2 trigger dates:	1/29/17
Level 2 assessment date: site visit	2/15/17
Parties Present: Name/organization	Michael Burgess/DDW Bob Johnson/Tahoe Cedars Water Company

Description of Investigation

Review of sample results and sample sites: Two of three routine samples collected on 1/26/2017 tested positive for total coliform bacteria. Seven repeat samples were collected on 1/28/2017, and after some confusion with regards to which samples were from the Tahoe Cedars water system, it was determined by the lab that only four of the samples had been incubated. The repeat sample from the Amy's West Lake routine sample site and the repeat samples on either side of Amy's West Lake all tested positive for total coliform bacteria. The repeat sample collected from Rod's 9th (the other routine site) tested absent for total coliform bacteria. On January 30, 2017, Tahoe Cedars was directed to take two additional samples from their lone well source, 15 minutes apart. Both of these samples were invalidated as the lab lost power, resulting in the incubator cooling below 34 degrees C. The water system had begun chlorinating the well and distribution system and it was decided that additional samples would not provide any useful information until the chlorinated water had been flushed from the well and distribution system. Two samples collected from the well on 2/2/17, one approximately two minutes after starting the well pump and a second approximately 15 minutes later, both tested absent for coliform bacteria.

Three samples collected from the distribution system on 2/7/17 all tested absent for total coliform bacteria; however, a sample collected from Amy's West Lake on 2/13/17 tested positive for total coliform bacteria. Five repeat samples were collected on 2/15/17, including two collected from the well 15 minutes apart. All five repeat samples collected by Mr. Bob Johnson, as well as a sample collected from the well by Michael Burgess during the inspection on 2/15/17, tested absent for coliform bacteria.

Interview with Bob Johnson on 1/27/17: Mr. Johnson reported no power outages or loss of pressure. He reported that he had inspected the water system's tanks. There were reportedly no signs of entry at either tank, and the tank vents were in place. He reported only a small amount of sediment visible

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

on the floors of both tanks and no floating debris. Mr. Johnson did say that he had collected the samples from inside the homes due to the large amount of snow (greater than 6 feet on the ground) and that the samples were collected from sink faucets with aerators.

Interview with Bob Johnson on 1/31/17: Mr. Johnson reported that he had begun continuous chlorination at the well discharge pipe. He reported a chlorine residual of approximately 1 mg/L at the well head and 0.6 mg/L at the far ends of the distribution system. He also reported adding approximately 1 cup of 12.5% hypochlorite solution to the well casing and washing down the casing with chlorinated water. (He ended up chlorinating the well casing to a calculated dosage of 3 mg/L for three consecutive days.)

Inspection with Bob Johnson on 2/15/17: I met Mr. Johnson at the Elm Street Well, as he was collecting the second well sample. I also collected a well sample at this time. There were no visible holes in the well casing, all openings appeared to be sealed, and the casing vent was facing downward and screened.

There was a large amount of snow on the tank roof and I was unable to uncover the tank apex vent to inspect it. As previously noted, Mr. Johnson reported that it was in good condition when he inspected it on 1/28/17. The interior of the tank, as viewed from the hatch, appeared to be clean with very little sediment. The hatch itself was properly constructed and offered a good seal. The water level was high and overflowing as Mr. Johnson had turned the well on manually to collect the bacteriological samples. The overflow was equipped with a flapper valve. There was no visible debris flushed through the overflow, though very little of the ground surrounding the tank could be seen due to the deep snow.

Deficiencies/Conclusions

This assessment identified one potential cause for the total coliform positive samples: the use of sink faucets equipped with aerators for sample collection, as the aerators, in particular, can harbor bacteria. However, the use of exterior sample taps during the winter when they are buried under several feet of snow and subject to freezing is problematic. Mr. Johnson was directed to remove the aerator when collecting a sample from an interior faucet and thoroughly flush the faucet for at least 2 to 3 minutes prior to collecting the sample.

SWRCB – Division of Drinking Water representative:

Name: Michael Burgess Signature: _____ Date: _____

Water system responsible party:

Name: _____ Signature: _____ Date: _____